

Public Records Exemption Codes List



Redaction Code	Exemption	Comments
1(b)	Social Security Number - RCW 42.56.230(5); & RCW 9.35.005(1)	RCW 42.56.230(5) exempts "other financial information", as defined in RCW 9.35.005(1), from production under the Public Records Act. "Financial information" in RCW 9.35.005(1) includes social security numbers and tax identification numbers.
1(c)	Driver's License Number - RCW 42.56.230(5), & RCW 9.35.005(1)	RCW 42.56.230(5) exempts "other financial information", as defined in RCW 9.35.005(1), from production under the Public Records Act. "Financial information" in RCW 9.35.005(1) includes driver's license numbers, permit numbers and state identicard numbers issued by the Department of Licensing
1(d)	Graphic Photos - RCW 42.56.240(1) & RCW 42.56.050	The withheld records are graphic photos [the autopsy] that depict the corpse. These photos were collected as part of a law enforcement agency's criminal investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nonproduction of which is essential for the protection of any person's right to privacy. Disclosure of graphic photographs (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.
10(b)	Criminal History Record Information – Non-Conviction Data – RCW 10.97.030; RCW 10.97.050; & RCW 42.56.070(1)	The withheld WASIS RAP sheet contains non-conviction data as defined by RCW 10.97.030(8). RCW 10.97.050 authorizes the dissemination of non-conviction data in specific circumstances. RCW 10.97.050 does not authorize disclosure of non-conviction data in response to a public records request.
10(c)	Criminal History Record Information/Source Document –; RCW 42.56.070(1); & RCW 43.43.710	The withheld record is a source document retained by the WSP's Identification and Criminal History Section. The source document is submitted from courts and/or arresting law enforcement agencies to provide date for the Washington State Information System (WASIS). Information contained in the files and records of the Criminal History Section relative to the commission of any crime by any person shall be considered privileged and shall not be made public or disclosed.
10(d)	Criminal History Record Information – FBI Rap Sheet – 28 CFR § 20.33; & RCW 42.56.070(1)	The withheld record is a rap sheet from the Federal Bureau of Investigation's III database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). 28 CFR § 20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).
12(a)	Booking Photos – RCW 70.48.100(2)&(3)(a), & RCW 42.56.070(1)	The records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies. Law enforcement may (only) use booking photographs of a person arrested or confined in a local or state penal institution to assist them in conducting investigations of crimes.
12(d)	Correctional & Civil Confinement Facilities – Vulnerability Assessments, Emergency, & Escape Response Plans – RCW 42.56.420(2)	Vulnerability assessments or emergency and escape response plans at an adult or juvenile correctional facility or a secure facility for persons civilly confined under RCW 71.09, the public disclosure of which would have a substantial likelihood of threatening the security of the facility or any individual's safety.

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14	Abstract Copy of Driving Record - RCW 46.52.130(3), & RCW 42.56.070(1)	Any entity receiving an abstract of a person's driving record shall use the abstract exclusively for its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party. To request an abstract of your driving record, please contact the Dept. of Licensing at http://www.dol.wa.gov/driverslicense/requestyourrecord.html .
16(a)	Dept. of Licensing Records - Driver's Privacy Protection Act - Photographs 18 USC § 2721, 18 USC § 2725 (3), & RCW 42.56.070(1)	The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, the WSP may not disclose highly restricted personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(4)'s definition of "highly restricted personal information" includes an individual's photograph or image.
16(e)	Dept. of Licensing Records - Driver's Privacy Protection Act - Driver Identification Number 18 USC § 2721, 18 USC § 2725 (3), & RCW 42.56.070(1)	The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, 18 U.S.C. § 2721, the WSP may not disclose personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(3)'s definition of "personal information" includes an individual's driver identification number.
65	Fingerprints – RCW 40.26.020(5) & RCW 40.26.020(7)(b)	Fingerprints are biometric identifiers and exempt from production under the Public Records Act, chapter 42.56 RCW.
42(a)	Health Care Information 45 CFR Sec. 160 and 164; RCW 70.02.005(4); RCW 70.02.020; RCW 42.56.360(2); RCW 42.56.070(1), & RCW 42.56.240(1)	The Public Records Act provides "chapter 70.02 RCW applies to public inspection and copying of health care information of patients." RCW 42.56.360(2). The legislature has stated "It is the public policy of this state that a patient's interest in the proper use and disclosure of the patient's health care information survives even when the information is held by persons other than health care providers." RCW 70.02.005(4). Health care information may not be disclosed without the patient's consent or statutory authority provided in RCW 70.02.050, or 70.02.200 through 70.02.240. A state agency that obtains patient health care information pursuant to RCW 70.02.050 and 70.02.200 through 70.02.240 shall adopt rules establishing their record acquisition, retention, destruction, and security policies that are consistent with chapter 70.02 RCW. RCW 70.02.290(1). Thus, health care information retained by a state agency remains subject to chapter 70.02 RCW's disclosure restrictions. Additionally, the withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. Disclosure of health care information: (1) would be highly offensive to a reasonable person; and (2) not of legitimate concern to the public.
42(c)	Prescription Records – RCW 18.64.245 & RCW 42.56.070(1)	Such records of prescriptions shall be for confidential use in the pharmacy, for inspection by the pharmacy quality assurance commission, or any officer of the law only.